



# City of Smyrna

A. Max Bacon City Hall  
Council Chambers  
2800 King Street SE  
Smyrna, GA. 30080

## Action Summary - Final City Council

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Monday, May 17, 2021

7:00 PM

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2800 King St SE, Smyrna Ga. 30080

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### Roll Call

**Present:** 7 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Austin Wagner, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Lewis Wheaton

**Absent:** 1 - Councilmember Travis Lindley

**Also Present:** 1 - Scott Cochran

**Staff:** 15 - Joe Bennett, Penny Mocerri, Heather Peacon-Corn, Chris Addicks, Tyler Addison, Julie Barwig, Jennifer Bennett, Dan Campbell, Dat Luu, Russell Martin, Tina Monaghan, Landon O'Neal, Kristin Robinson, Joey Staubes and Keith Zgonc

### Call to Order

Mayor Derek Norton called to order the May 17, 2021 meeting of the Mayor and Council at 6:00pm.

#### 1. Invocation and Pledge:

Pastor Brian Downing of Oakdale Church of God located at 1631 Cooper Lake Road, offered the invocation and led all in the Pledge of Allegiance.

#### 2. Agenda Changes:

There were no Agenda Changes.

#### 3. Mayoral Report:

- A. [2021-195](#) Presentation of the LGCIO ( Local Government Chief Information Officer ) Certification from Mr. Michael Hourihan of Carl Vinson Institute of Government to Mr. Dan Campbell, Information Systems Administrator.

IT System Administrator Dan Campbell was presented with a certificate documenting his completion in the Carl Vinson Institute of Government Local Government Chief Information Officer program.

#### 4. Land Issues/Zonings/Annexations:

- A. [2021-186](#) Request for a name change for The Carriage House apartment complex located at 810 Windy Hill Road to 810 Windy Hill Road, LP dba Beckett

**Park Apartments.**

A motion was made by Councilmember Susan Wilkinson to approve item 2021-186, a request for a name change for The Carriage House apartment complex located at 810 Windy Hill Road to 810 Windy Hill Road, by the applicant LP dba Beckett Park Apartments; seconded by Councilmember Lewis Wheaton.

The motion to approve carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**B. [ORD2021-10](#)**

**Public Hearing** - Approval of the code amendments to Sections 402, 712, 716 and 720 of the City's Zoning Ordinance to list private dog parks as permitted uses in the General Commercial (GC), Central Business District (CBD) and Mixed Use (MU) zoning districts and authorize the Mayor to sign and execute all related documents.

A motion was made by Mayor Pro Tem / Councilmember Tim Gould to approve item ORD2021-10 (Public Hearing) for the approval of the code amendments to Sections 402, 712, 716 and 720 of the City's Zoning Ordinance to list private dog parks as permitted uses in the General Commercial (GC), Central Business District (CBD) and Mixed Use (MU) zoning districts and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**C. [2021-139](#)**

**Public Hearing** - Zoning Request - Z21-007 - Allow rezoning from R-15 to R-10 for a two lot subdivision at a density of 4.08 units per acre - 0.49 acres - Land Lot 304 - 454 Smyrna Powder Springs Road - AOS 454 LLC

A motion was made by Councilmember Susan Wilkinson to deny item 2021-139 (Public Hearing) for a Zoning Request, number Z21-007 to allow rezoning from R-15 to R-10 for a two lot subdivision at a density of 4.08 units per acre on 0.49 acres, Land Lot 304 located at 454 Smyrna Powder Springs Road, by the applicant AOS 454 LLC.; seconded by Mayor Pro Tem / Councilmember Tim Gould.

The motion to deny carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**D. [2021-141](#)**

**Public Hearing** - Zoning Request - Z21-005 - Allow rezoning from GC to MU for a mixed use development - 9.73 acres - Land Lots 779, 780, 805 and 806 - 2400 Lake Park Drive - 2400 Lake Park Atlanta Office LLC

A motion was made by Councilmember Austin Wagner to approve item 2021-141 (Public Hearing) for a zoning request number Z21-005 to allow rezoning from GC to MU

for a mixed use development on 9.73 acres, Land Lots 779, 780, 805 and 806 located at 2400 Lake Park Drive by the applicant 2400 Lake Park Atlanta Office LLC.; seconded by Councilmember Charles "Corkey" Welch.

The motion to approve carried by the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Pickens

**E.** [2021-191](#)

**Public Hearing** - V21-044 - Reduce the rear setback from 30 feet to 24 feet for a deck - Land Lot 384 - 632 Austin Drive - David Samani

A motion was made by Councilmember Charles "Corkey" Welch to approve item 2021-191 (Public Hearing) a variance request (V21-044) to reduce the rear setback from 30 feet to 24 feet for a deck on Land Lot 384 located at 632 Austin Drive by the applicant David Samani; seconded by Councilmember Austin Wagner.

The motion to approve carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**F.** [2021-192](#)

**Public Hearing** - V21-045 - Allow encroachment into 50-foot undisturbed stream buffer setback for a deck - Land Lot 810 - 2946 Woodruff Drive - Suellen A. Stepp

A motion was made by Councilmember Glenn Pickens to approve item 2021-192 (Public Hearing) for variance request V21-045 to allow encroachment into 50-foot undisturbed stream buffer setback for a deck on Land Lot 810 located 2946 Woodruff Drive by the applicant Suellen A. Stepp; seconded by Councilmember Lewis Wheaton.

The motion to approve carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**G.** [2021-193](#)

**Public Hearing** - V21-046 - Allow new construction on lot of record below minimum lot size requirements - Land Lot 304 - 436 Smyrna Powder Springs Road - AOS 454 Land LLC

A motion was made by Councilmember Susan Wilkinson to approve item 2021-193 (Public Hearing) for variance number V21-046 to allow new construction on lot of record below minimum lot size requirements on Land Lot 304 located at 436 Smyrna Powder Springs Road by the applicant AOS 454 Land LLC.; seconded by Councilmember Lewis Wheaton.

A motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**5. Privilege Licenses:**

There were no Privilege Licenses.

**6. Formal Business:**

- A.** [ORD2021-09](#) **Public Hearing** - Approval of code amendments to the City Alcoholic Beverage Ordinance with regards to alcohol pouring licenses for private dog parks.

A motion was made by Mayor Pro Tem / Councilmember Tim Gould to approve item ORD2021-09 (Public Hearing) for the approval of code amendments to the City Alcoholic Beverage Ordinance with regards to alcohol pouring licenses for private dog parks; seconded by Councilmember Austin Wagner.

The motion to approve carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- B.** [2021-203](#) **Public Hearing** for the Fiscal Year 2022 Proposed Budget

No vote was taken on this item; this was a public hearing was held to present the proposed FY2022 budget.

**7. Commercial Building Permits:**

There were no Commercial Building Permits.

**8. Consent Agenda:**

A motion was made by Mayor Pro Tem / Councilmember Tim Gould to approve the consent agenda as read aloud; seconded by Councilmember Lewis Wheaton.

The motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 1 - Mayor Norton

- A.** [MIN2021-25](#) Approval of the April 15, 2021 Committee of the Whole Meeting Minutes.
- B.** [MIN2021-31](#) Approval of the May 3, 2021 Pre- Council Meeting Minutes.
- C.** [MIN2021-32](#) Approval of the May 3, 2021 Mayor and Council Meeting Minutes.
- D.** [2021-185](#) Award Ward Park grandstand seating to GT Grandstands, Inc. using the TIPS cooperative contract # 181101 in the amount of \$252,426.00 to be

funded from the General Fund and authorize the Mayor to execute any related documents.

E. [2021-187](#) Request to install a no parking zone on the East side of Afton Way from approximately 5206 Afton Way to approximately 5191 Afton Way.

F. [2021-196](#) Approval to award MaxAir Mechanical (814 Livingston Court, Marietta, Ga. 30067) to replace two (2) evaporative air-cooled chillers at the Smyrna Community Center using \$276,011.00 of Smyrna Public Works funds from CDBG Public Facilities balance and authorize the Mayor to sign and execute all related documents.

G. [2021-205](#) Approval of the King Springs Elementary Mobile 5th Grader Parade on Wednesday, May 26, 2021 at 10:00am with rolling road closures with police presence following the attached route from North Cooper Lake Park to King Springs Elementary.

**9. Ward / Committee Reports:**

**10. Show Cause Hearings:**

There were no Show Cause Hearings.

**11. Citizen Input:**

**12. Adjournment:**

Mayor Derek Norton adjourned the May 17, 2021 meeting of the Mayor and Council at 10:19PM.